

Article - Public Utilities

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§23–309.

(a) If the Commission becomes legally liable to a third party as a direct result of a modification of a previous approval of a major project by Montgomery County or Prince George's County, the county directing the change is responsible for the liability that results from the change.

(b) The County Executive or County Council of Montgomery County or the County Executive of Prince George's County shall settle or release a claim for liability under subsection (a) of this section by:

- (1) negotiating with the claimant; or
- (2) paying the final judgment of a court award.

(c) In litigation resulting from a claim for liability under subsection (a) of this section, the County Executive or County Council of Montgomery County and the County Executive of Prince George's County may:

- (1) intervene in a court proceeding before judgment; and
- (2) interpose defenses available to the county or the Commission.

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